

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BURBRAN PIERRE, on behalf of himself and others similarly situated,

Plaintiff,

v.

CITY OF NEW YORK, NEW YORK CITY POLICE DEPARTMENT, TD BANK N.A., DUANE READE INC., B & H PHOTO VIDEO PRO AUDIO LLC, BLOOMBERG L.P., WHOLE FOODS MARKET GROUP, INC., TRIHOP 14TH STREET LLC, and DOES NOS. 1-10,

Defendants.

Case No.: 1:20-cv-05116(ALC)(VF)

NOTICE OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF THE PROPOSED SETTLEMENT, CERTIFICATION OF THE SETTLEMENT CLASS, APPOINTMENT OF CLASS COUNSEL, AND APPROVAL OF PLAINTIFF'S NOTICE OF SETTLEMENT AND CLAIM FORM

PLEASE TAKE NOTICE that Plaintiff Burbran Pierre ("Plaintiff"), on behalf of himself and the proposed Class, respectfully moves this Court for an Order pursuant to Rule 23(e) of the Federal Rules of Civil Procedure for: (i) preliminary approval of Plaintiff's proposed settlement with Defendant T.D. Bank N.A.; (ii) certification of the proposed settlement class; (iii) appointment of Faruqi & Faruqi, LLP as class counsel; and (iv) approval of Plaintiff's proposed Notice of Settlement and Claim Form.

This motion is based upon the accompanying Settlement Agreement, the Memorandum of Law in Support of Plaintiff's Motion for Preliminary Approval of the Proposed Settlement, Certification of the Settlement Class, Appointment of Class Counsel, and Approval of Plaintiff's Notice of Settlement and Claim Form, the Declaration of Innessa M. Huot in support hereof, and all related exhibits.

Dated: January 20, 2023
New York, New York

Respectfully submitted,

FARUQI & FARUQI, LLP

By: /s/ Innessa M. Huot
Innessa Melamed Huot
Alex J. Hartzband
Taylor J. Crabill

685 Third Avenue, 26th Floor
New York, New York 10017
Tel: 212-983-9330
Fax: 212-983-9331
ihuot@faruqilaw.com
ahartzband@faruqilaw.com
tcrabill@faruqilaw.com

*Attorneys for Plaintiff, the FLSA Collective,
and the proposed Class*